

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Ronald P. Dean et al.

Confirmation No.: 4838

Application No.: 10/618,275

Examiner: T. Le

Filing Date: 07/11/2003

Group Art Unit: 3632

Title: DEFORMABLE MOUNTING BRACKET

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment () Petition to extend time to respond
() New fee as calculated below () Supplemental Declaration
(X) No additional fee
() Other: _____ (fee \$ _____)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	25	MINUS	25	= 0	X \$18	\$ 0
INDEP. CLAIMS	3	MINUS	3	= 0	X \$88	\$ 0
[] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$300	\$ 0
EXTENSION FEE	1ST MONTH \$110.00	2ND MONTH \$430.00	3RD MONTH \$980.00	4TH MONTH \$1530.00		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

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Date of Deposit 11/17/2004

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, Alexandria, VA 22313-1450.

By

Typed Name: Phyllis Ewing

Respectfully submitted,

Ronald P. Dean et al.

By

R. Ross Viguet

Attorney/Agent for Applicant(s)
Reg. No. 42,203

Date: 11/17/2004



11-18-04

ZTW

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400

Docket No.: 10017961-2
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Ronald P. Dean et al.

Application No.: 10/618,275

Confirmation No.: 4838

Filed: July 11, 2003

Art Unit: 3632

For: DEFORMABLE MOUNTING BRACKET

Examiner: T. Le

RESPONSE TO NOTICE OF NON-RESPONSIVE COMMUNICATION

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

In response to the Notice of Non-Responsive Communication dated October 20, 2004 (Paper No. 10142004), Applicant responds as follows:

I. Provisional Elections

Applicant maintains its provisional election of the claims of Group I, claims 1-17 and 22-25, for continued examination. In response to the Notice of Non-Responsive Communication, Applicant additionally makes a provisional election of the Examiner's classification of the species represented in Figures 1 - 5. Based on this species division created by the Examiner, claims 1 - 9, 13 - 17, 22, and 25 of Group I, and claims 18 and 19 of Group II, are each readable on Figures 1 - 5. Applicant asserts that all of the above claims that are readable on Figures 1 - 5 are generic to both species.

II. Response to Restriction Requirement

The Examiner has required restriction between Groups I and II based on his assertion that:

the process as claimed can be practiced by another material different apparatus such as a mounting bracket that can be constructed from any shape having the material of copper; or the apparatus as claimed can be used to practice another and materially different process such as fastening the electronic device to the conduction layers mounted between the device and the attachment member comprising a thermally conductive material. June 16, 2004 Office Action, page 2.

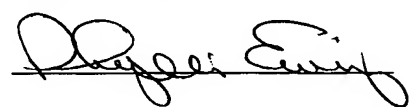
While Applicant has provisionally elected the claims of Group I and the species that the Examiner contends is represented in Figures 1 – 5, Applicant maintains its objection to the Examiner's determination that multiple species are depicted in the figures. It is clear, not only from the Brief Description of the Drawings, but also from the statements and descriptions throughout the specification, that all of the figures, Figures 1 – 7, illustrate different views of some aspect of the conduction bracket shown in Figure 1. Therefore, Figures 1 – 7 are each useful to the understanding of all of the claims, including the claims of Group I. Applicant respectfully observes that the Examiner's finding of multiple species is insupportable and inconsistent with the clear statements from the specification. Applicant, thus, requests the Examiner to withdraw his species election requirement.

Applicant believes no fee is due with this response. However, if a fee is due, please charge Deposit Account No. 08-2025, under Order No. 10017961-2 from which the undersigned is authorized to draw.

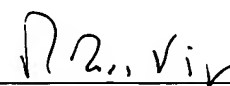
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV482733615US, in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Date of Deposit: 11/17/2004

Typed Name: Phyllis Ewing

Signature: 

Respectfully submitted,

By 
R. Ross Viguet
Attorney/Agent for Applicant(s)
Reg. No.: 42,203

Date: November 17, 2004

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